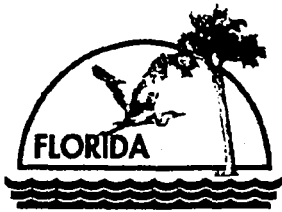


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CERTIFICATION OF APPROVAL OF REMEDIAL ACTION PLAN AT SITE 7174 MCCOY
ANNEX BASE EXCHANGE SERVICE STATION NTC ORLANDO FL
10/20/1998
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



Department of Environmental Protection

Lawton Chiles
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400


Virginia B. Wetherell
Secretary

October 20, 1998

CERTIFICATION OF APPROVAL

RE: Remedial Action Plan, Site 7174, McCoy Annex Base Exchange
Service Station, Orlando, Florida.

I hereby certify that in my professional judgment, the components of this remedial action plan satisfy the requirements set forth in Chapter 62-770, F.A.C., and that the engineering design features incorporated in this plan provide reasonable assurances of achieving the objectives stated in Chapter 62-770, F.A.C., for remedial actions. However, I have not evaluated and do not certify aspects of this plan that are outside the limits of my review responsibilities and outside my area of expertise (including but not limited to electrical, mechanical, and structural features). I personally completed this review.


Gregory M. Brown, P.E.
Professional Engineer No. 42194
Expires February 28, 1999


Date Oct 20 1998

Mr. Nick Ugolini
Southern Division
Naval Facilities Engineering Command
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- d) A statement of the material facts disputed by the petitioner, or a statement that there are no disputed facts;
- e) A statement of the ultimate facts alleged, including a statement of the specific facts the petitioner contends warrant reversal or modification of the Department's action or proposed action;
- f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the Department's action or proposed action; and
- g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the Department to take with respect to the Department's action or proposed action.

This Order is final and effective as of the date on the top of the first page of this Order. Timely filing a petition for administrative hearing postpones the date this Order takes effect until the Department issues either a final order pursuant to an administrative hearing or an order responding to supplemental information provided pursuant to meetings with the Department.

Judicial Review

Any party to this Order has the right to seek judicial review of it under Section 120.68, F.S., by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days after this Order is filed with the clerk of the Department (see below).

The FDEP Facility Number for this site is 488840202. Please use this identification on all future correspondence with the Department.

Questions

Any questions regarding the Department's review of your Remedial Action Plan should be directed to David P. Grabka,

Mr. Nick Ugolini
Southern Division
Naval Facilities Engineering Command
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of initiating operation of the active remediation system(s).
These drawings must be certified by a professional engineer.

Legal Issues

The Department's Order shall become final unless a timely petition for an administrative proceeding (hearing) is filed under Sections 120.569 and 120.57, Florida Statutes (F.S.), within 21 days of receipt of this Order. The procedures for petitioning for a hearing are set forth below.

Persons affected by this Order have the following options:

If you choose to accept the above decision by the Department about the Remedial Action Plan you do not have to do anything. This Order is final and effective as of the date on the top of the first page of this Order.

If you disagree with the decision, you may do one of the following:

1. File a petition for administrative hearing with the Department's Office of General Counsel within 21 days of receipt of this Order;

OR

2. File a request for an extension of time to file a petition for hearing with the Department's Office of General Counsel within 21 days of receipt of this Order. Such a request should be made if you wish to meet with the Department in an attempt to informally resolve any disputes without first filing a petition for hearing.

Please be advised that mediation of this decision pursuant to Section 120.573, Florida Statutes (F.S.), is not available.

How to Request an Extension of Time to File a Petition for Hearing

For good cause shown, pursuant to Rule 62-110.106(4), F.A.C., the Department may grant a request for an extension of time to file a petition for hearing. Such a request must be

Memorandum

Florida Department of Environmental Protection

TO: David Grabka, Remedial Project Manager, Technical Review Section

THROUGH: Tim Bahr, P.G., Supervisor, Technical Review Section

FROM: Greg Brown, Professional Engineer II, Technical Review Section *JB*

DATE: October 20, 1998

SUBJECT: Remedial Action Plan, Site 7174, McCoy Annex Base Exchange Service Station, Orlando, Florida

The Department has reviewed the subject document dated September 1998 (received September 28, 1998). In my opinion, standard SVE/AS technology would be more effective at this site than the more passive biosparging being proposed. This site has been known to be contaminated with petroleum since 1988. Given the long history of repetitious investigation and remediation, at this point in the project's life-cycle, I believe it is better to attempt cleanup using a modestly effective technology now rather than consume valuable time advocating for an optimum technology. In that regard, the subject Remedial Action Plan is adequate for its intent and the RAP Approval Order is attached.

The Navy should make all attempts to implement this RAP as soon as possible to determine whether or not the proposed biosparging technology will work as intended. If it does not perform adequately, the Navy should anticipate necessary modifications to the remedial strategy and be able to implement them without delay after discussing them with the Department's RPM. If you have any questions, call me at (850) 488-3935.